

Serial No. 09/701,1

JC0412:11 PCT/PTO 1 5 JUN 2001

#3

80968

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application

Applicant: Peter R. Reeves and Lei Wang

PCT Intl.  
App. No. PCT/AU99/00385

Serial No.: 09/701,132

Filed: November 21, 2000

For: **ANTIGENS AND THEIR DETECTION**

)  
) I hereby certify that this  
) correspondence is being deposited  
) with the United Postal Service as  
) express mail in an envelope addressed  
) to: Assistant Commissioner of Patents,  
) Washington, DC 20231, on June 15,  
) 2001  
)  
) Exp. Mail No. EL706574752US  
)  
)  
) 6/15/01 Jeff Kerner

Date

CORRESPONDENCE

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. §371, applicant hereby encloses documents in full compliance with form PCT/DO/EO/905 including an executed Declaration and Power of Attorney and surcharge for filing of same.

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Form PCT/DO/EO/920, a copy of which is enclosed, please note that our records indicate that both paper and computer-readable forms (copy enclosed) of the Sequence Listing were filed at the time of filing of the patent application. Telephone calls to Ms. Shelby Vigil, of the U.S. Patent & Trademark Office on June 8, 2001 and June 14, 2001 were unable to resolve whether the United States Patent and Trademark Office records now show that the filed sequence listing and CFR were yet approved as being in compliance with 37 C.F.R. 1.821 through 1.825.

Biological Sequence Listing  
Statements under 1.825(a) and 1.821(f)

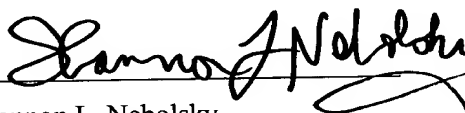
This Preliminary Amendment including Statements under 37 C.F.R. 1.825(a) and 1.821(f) is accompanied by substitute sheets for the paper copy of the Sequence Listing of the above-identified patent application. The content of the Sequence Listing is the same as that filed on November 21, 2000, which is the same as the Sequence Listing for the international application as filed in the PCT, the difference being that the format has been updated in the paper copy to conform to the current U.S. Patent Office Sequence Listing requirements with page numbers beginning at 1.

This paper is also accompanied by a write-protected diskette (3.50 inch, 1.44 Mb storage capacity) containing the computer readable form (CRF) of the Sequence Listing as ASCII output from PatentIn version 2.0. The computer readable form filename is "P30384.app". The CRF of the sequence listing was generated by the PCT-filing associate in Australia using PatentIn Version 2.0 on May 21, 1999 on a PC-compatible computer.

The PatentIn output was transmitted via e-mail and copied onto the enclosed diskette June 15, 2001 unaltered as received. The information recorded in the computer readable form is identical to the enclosed paper copy of the Sequence Listing. A copy of the Patent output was opened into a word processing program separately to produce the enclosed paper copy substitute sheets of the Biological Sequence Listing that has the appropriate page numbering. The substitute sheets include no new matter.

Respectfully submitted,

**WELSH & KATZ, LTD.**

By 

Shannon L. Nebolsky  
Registration No. 41,217

Date: June 15, 2001

Enclosures:

Sequence Listing (paper and CRF); Executed Declaration and Power of Attorney and Surcharge Fee;  
Copy of previously filed CRF and Postcard

**WELSH & KATZ, LTD.**

120 South Riverside Plaza, 22nd Floor  
Chicago, Illinois 60606-3913  
Telephone: 312/655-1500

PCT Rec'd 15 JUN 2001

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT****\$130.00****Complete if Known**

Application Number	09/701,132
Filing Date	November 21, 2000
First Named Inventor	Peter R. Reeves, et.al.
Examiner Name	Shelby Vigil
Group Art Unit	Not Yet Assigned
Attorney Docket No.	6433/80968

**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **23-0920**

Deposit Account Name

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR § 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Description

Code (\$) Code (\$)

Fee Paid

101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

**2. EXTRA CLAIM FEES**

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** = 0	X	0.00
Independent Claims	-3** = 0	X	0.00
Multiple Dependent			

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$)

Fee Description

103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

**\$0.00**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$)

Fee Description

Fee Paid

105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

**\$130.00****SUBMITTED BY**

Name (Print/Type) Shannon L. Nebolsky

Registration No.  
(Attorney/Agent)

41,217

**Complete (if applicable)**

Telephone

(312)655-1500

Signature

Shannon L. Nebolsky

Date

6/15/2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

05/19/2001 SHANNON L. NEBOLSKY

01 FC:154



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

80968  
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/701132	REEVES	P 6433/80968
INTERNATIONAL APPLICATION NO.		
PCT/AU99/00385		
FILED DATE	PRIORITY DATE	
21 MAY 99		
DATE MAILED	16 MAY 2001	

WELSH & KATZ  
22ND FLOOR  
120 SOUTH RIVERSIDE PLAZA  
CHICAGO, IL 60606

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494).  
☒ an Elected Office (37 CFR 1.495):  
☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☐ a non-English language.  
☒ English.  
☒ Translation of the international application into English.  
☐ Oath or Declaration of inventor(s) for DO/EO US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☐ The International Preliminary Examination Report in English and its Annexes, if any.  
☒ Translation of Annexes to the International Preliminary Examination Report into English.  
☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed \_\_\_\_\_.  
☒ Verified Statement Claiming Small Entity Status.  
☐ Priority Document.  
☐ Copy of the International Search Report ☐ and copies of the references cited therein.  
☐ Other:

RECEIVED  
MAY 21 AM 9:08  
PCT/DO/EO/917 LTD

RECEIVED  
DOCKETING  
MAY 21 2001  
By \_\_\_\_\_  
Due Date \_\_\_\_\_

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

**A copy of this notice MUST be returned with this response.**

Enclosed:  
☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875  
FORM PCT/DO/EO/995 (December 1997)

SHELBY VIGIL, PARALEGAL  
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